

53-3-232. Conditional license -- May not operate a vehicle or motorboat with alcohol in body -- Penalty.

(1) As used in this section, "qualifying conviction" means:

(a) a conviction of a violation of Section 41-6a-502, Section 41-6a-517, a local ordinance which complies with the requirements of Subsection 41-6a-510(1), Section 76-5-207, or of alcohol-related reckless driving as described under Subsection 41-6a-512(1);

(b) a revocation under Section 41-6a-521 if the revocation is not based on the same arrest as a conviction under Subsection (1)(a); or

(c) a violation of Subsection (3).

(2) (a) Until June 30, 2005, the division may only issue, reinstate, or renew a driver license in the form of a no alcohol conditional license to a person who has a qualifying conviction for a period of:

(i) two years after issuance of a Utah driver license or permit following a first qualifying conviction for an offense, the arrest for which occurred within the previous 10 years; and

(ii) 10 years after issuance of a Utah driver license or permit following a second or subsequent qualifying conviction for an offense, the arrest for which occurred within the previous 10 years.

(b) Beginning on July 1, 2005, the division may not issue, reinstate, or renew a driver license in the form of a no alcohol conditional license.

(3) A no alcohol conditional license shall be issued on the condition that the person may not operate or be in actual physical control of a vehicle or motorboat in this state with any alcohol in the person's body.

(4) It is a class B misdemeanor for a person who has been issued a no alcohol conditional license to operate or be in actual physical control of a vehicle or motorboat in this state in violation of Subsection (3).

Amended by Chapter 2, 2005 General Session

Amended by Chapter 91, 2005 General Session

Amended by Chapter 220, 2005 General Session